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GEORGIAN ETHNOPOLITICAL CONFLICT AS A SUBJECT OF CONFRONTATION BETWEEN THE USA AND RUSSIA

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Abstract: *Since 2009 Russia has increased its military forces in Abkhazia and South Ossetia and pursued the policy of 'creeping annexation' in the occupied territories of Georgia. Today, 20% of Georgian territories are occupied by the Russian Federation. The Russian-backed separatists continuously erect barbed-wire border posts in one of the occupied regions of Georgia-South Ossetia and detain Georgian people, under the pretext of 'illegally crossing the border'. Fundamental rights of the local population are violated daily since the occupants install barbers through people's houses, gardens, and cultivated lands. Innocent citizens are forced to leave their homes, belongings, and cultivated lands that are left beyond the occupants' demarcation line. The paper argues that along with other global challenges of the world, the USA-Russia clashes of interests are also found with the Georgian conflicts. While Washington hugely supports Georgia's territorial integrity and welcomes its Euro-Atlantic aspirations, the Russian Federation, on the contrary, prevents the aforementioned process and directly opposes Georgia's integration into NATO. The USA condemns Russia's creeping annexation of Georgian territories and continuously calls on Russia to respect the sovereignty and territorial integrity of an independent country. Furthermore, the USA-Russia relations have considerably deteriorated following Russia's military intervention in Georgia and the recognition of Abkhazia and South Ossetia as independent states.*

Keywords: *Abkhazia; South Ossetia; USA; Russia; Conflicts*

INTRODUCTION

The disintegration of the USSR (the Union of Soviet Socialist Republics) marked the end of geopolitical tension between the two greatest superpowers of the so-called 'Cold War' the Soviet Union and the United States (USA) whose mutual antagonism lasted for almost forty-five years following the immediate afterward of the end of the World War II. The World watched in shocked amazement how the Union of fifteen

socially, culturally and ethnically diverse groups of states fell to pieces in 1991. Francis Fukuyama (1989) argued that a triumph of capitalism over socialism after the failure of Communism meant the victory of liberal democracy, which would become the last point of socio-cultural evaluation of the society and final form of human government (Lordkipanidze, 2019, 5). During the collapse of the Soviet Union, a furious economic crisis erupted in the number of former Soviet Republics, shaped with massive internal contradictions that the countries were confronted with towards the way of independence. Georgia was one of those republics. In the late 1990s, ethnopolitical conflicts in the country in the autonomous Republic of Abkhazia and the autonomous oblast of South Ossetia turned into a civil war, and this war resulted in vast destruction and also massive human suffering (Lomia 2020, 113; Lordkipanidze 2021, 35; Mgeladze 2021, 12). The Russian Federation played one of the most dominant roles in provoking Georgian conflicts since the separatist forces in Abkhazia and South Ossetia were hugely supported by Russia (Lomia 2021, 63). By 1994 Georgia had lost control of most of the parts of the conflict regions and Russian peacekeepers were stationed in Sokhumi and Tskhinvali. The conflict in Abkhazia resulted in more than 10,000 deaths, whilst during the conflict in South Ossetia, at least 1.000 people were killed. Furthermore, it was estimated that the Abkhazia conflict caused the displacement of around 150,000 people among whom most of them were ethnic Georgians. During the South Ossetia conflict, approximately 60.000 people were displaced and many of them found refuge in Russia (Amnesty International 1998). After years, the growing tension between Russia and Georgia has again escalated on August 7, 2008 (Nikoleishvili and Kiknadze 2020, 123). The five-day war between the neighboring countries ended with the recognition of Abkhazia and South Ossetia as independent states by the Russian Federation. Furthermore, the war demonstrated that small states are still facing serious security dilemmas in the twenty-first century and they are still threatened by big powers to play according to their rules of the game (Maisaia and Kareli 2019, 71). Russian-Georgian war, in August 2008, led the USA-Russian relations to the lowest point since the disintegration of the Soviet Union. The five-day war ended with the recognition of Abkhazia and South Ossetia as independent states by Russia; resulted in hundreds of dead humans and brought innumerable damages to the Georgian economy. Thousands of refugees were forced to leave their homeland. As a consequence of the conflict, more than 26.000 people have been displaced. Today, 20% of the Georgian territory is occupied by the Russian Federation (Maisaia and Khanjaliashvili 2020, 116); (Tskhovrebadze 2015, 43). Since 2008 the USA continually calls on Russia to reverse its recognition of Abkhazia and South Ossetia as independent states and condemns Russia's illegal occupation and creeping annexation of Georgian territories. Washington is actively involved in Geneva International Discussions, which are launched in October 2008 and address the consequences of the 2008 war.

RUSSIA'S ILLEGAL 'BORDERIZATION' OF GEORGIAN SOVEREIGN TERRITORIES

Human rights in Georgia are guaranteed by the state constitution, which came into force in 1995. Since then, it has undergone numerous amendments. According to Chapter 1 Article 7 of the Constitution of Georgia: "The state shall recognize and protect universally recognized human rights and freedoms as eternal and supreme human values. While exercising authority, the people and the state shall be bound by these rights and freedoms as directly acting law" (Constitution of Georgia 1994, 3).

The Government of Georgia and the overwhelming majority of the international community, including the European Union and the USA, do not recognize the independence of Georgian regions (Lomia and Lomia 2020, 36), and believe that Russia's invasion and subsequent recognition is a "blatant violation of fundamental principles of international law-notable the principles of sovereignty and territorial integrity" (Government 2020; Lomia 2019, 62). Georgia is a sovereign, unified, and indivisible state. According to the Hague Regulations of 1907, Fourth Geneva Convention of 1949, and the norms of customary international law, the presence of the armed forces on the territory of a sovereign country without the voluntary consent of that country is an act of illegal military occupation of the sovereign state. According to Article 1 of the Constitution of Georgia adopted on August 24, 1995, Georgia is an independent, unified and indivisible state as confirmed by the Referendum of 31 March 1991 held in the entire territory of the country, including the Autonomous Soviet Socialist Republic of Abkhazia and the former Autonomous Region of South Ossetia, and by the Act of Restoration of State Independence of Georgia of 9 April 1991 (Constitution of Georgia 1994, 1).

Russia's military occupation of Georgian territories and the secession of the regions from the rest of Georgia have continuously been condemned at numerous international forums, the results of one of which are clearly illustrated in the EU-commissioned document "Independent International Fact-Finding Mission on the Conflict in Georgia" (Government 2020; Report 2009). It is worth mentioning that According to Article 42 of the Hague Regulations "Territory is considered occupied when it is placed under the authority of the hostile army" (The Hague Regulations 1907). Its key elements are the presence of foreign forces to establish and exert control; the ability to exercise authority over the occupied territory; and the fact that foreign forces are present without the consent of the sovereign state (Amnesty International 2019, 17).

Since August 2008, Russia has increased its permanent military presence in and beyond the two occupied regions, including areas that were under Georgian-government control before the war. This act of Russia; means a direct violation of the EU-brokered ceasefire agreement signed on August 12, 2008 (Maisaia and Mikadze 2020, 134; The Embassy of Georgia to the United States of America 2019).

By acting like this, Russia has been preventing the EUMM (the European Union Monitoring Mission) to oversee compliance with the ceasefire agreement. The EUMM started its monitoring activities on Georgian territories on October 1, 2008, and has since been patrolling both day and night, particularly in areas adjacent to the Administrative Boundary Lines with the Russian-backed separatist regions of Abkhazia and South Ossetia (EUMM 2019). The EU played a crucial role in ending the Russian-Georgia war. On August 19, at a meeting held in response to the request of France, Council members discussed ways to ensure implementation by all the parties of the six-principle ceasefire agreement sponsored by the European Union presidency and agreed on 12 August 2008. On behalf of the EU, French President, Nicolas Sarkozy, took full responsibility in negotiation between the sides. The six-point ceasefire proposal is as follows: (a) the commitment to renounce the use of force; (b) the immediate and definitive cessation of hostilities; (c) free access to humanitarian aid; (d) the withdrawal of Georgian forces to their places of permanent deployment; (e) the withdrawal of Russian forces to their lines of deployment before 7 August 2008; and (f) the convening of international discussions on lasting security and stability arrangements for Abkhazia and South Ossetia (Repertoire of the Practice of the Security Council 2009). Georgia shows positive economic growth and structural changes within economic activity sectors (Kolosok and Myroshnychenko 2015). In addition to that, as argued by Bedianashvili, for Georgia, “which is a part of Europe, is to manage and establish closer ties with the European countries within globalization processes taking place in the world” (Bedianashvili 2017, 88; Bedianashvili 2018) (Map 1). More than that, Georgia is one of the most important geopolitical hubs in the world and the European Union gives it a unique opportunity in terms of economic growth (Lordkipanidze 2021, 35).



Map 1: Georgian-Ossetian conflict (Source: Wikipedia 2021)

Since 2009, the Russian Federation has commenced the process of 'borderization' in the occupied territories of Georgia. The term 'borderization' is used to describe a process of installing barbed wire fences and artificial barriers by the Russian servicemen along the so-called 'administrative boundary line' of the occupied regions of Abkhazia and South Ossetia. Beyond the one side of the artificial border, remains Tbilisi-controlled territory and on the other side, there is the Administrative Boundary Lines (ABL). Russian-backed separatist forces continuously install and erect barbed-wire border posts in the Tskhinvali region (South Ossetia) and detain Georgian people under the pretext of illegally crossing the border and gradually move the borders near the Georgian-controlled villages (Modebadze 2015; Modebadze and Kozgambayeva 2019; Lomia 2020).

According to the EUMM (2019) in Georgia, as of late 2018 physical 'borderization' along the South Ossetian/Tskhinvali Region included "more than 60 km of security fences, 20 km of surveillance equipment, over 200 'Republic of South Ossetia border' signs, 19 Russian border guard bases and four controlled crossing points". In Abkhazia, physical 'borderization' included "over 30 km of fences, surveillance towers with an ABL coverage of approximately 25 km, 19 Russian border guard bases, and two controlled crossing points" (EUMM 2019).

As highlighted in the research conducted by Amnesty International, the total length of the barbed wire and fencing along the ABL with South Ossetia/Tskhinvali Region by 2018 was more than 52 km out of 350 km. The total length of the barbed wire and fences on Abkhazian ABL was around 49 km out of 145 km. Russia's 'creeping annexation' not only is the process of illegal borderization of a sovereign state, furthermore, Russian servicemen constantly detain Georgian citizens under the pretext of 'illegally crossing the border' since people continue to cross the administrative boundary line to access medical care, see relatives, access agricultural lands, visit graveyards or religious buildings, etc. (Amnesty International 2019).

According to the Georgian authorities, as of late 2018, 34 villages (Near South Ossetian/Tskhinvali region ABL - Nikozi, Gugutiantkari, Khurvaleti, Dvani, Kvemo Khviti, Ditsi, Mereti, Dirbi, Bershueti, Mejvriskhevi, Tvaurebi, Sakorintlo, Ergneti, Ghogheti, Koda, Kveshi, Jariasheni, Zardiaantkari, Koshka, Adzvi, Tsitsagiaantkari, Akhrisi, Kirbali, Akhalubani, Knolevi, Avlevi, Tsitelubani, Atotsi, and Tseronisi; near Abkhazian ABL – Ganmukhuri, Orsantia, Khurcha, Shamgona, and Pakhulani) had been divided by fences by Russian servicemen near the South Ossetian/Tskhinvali Region administrative boundary line, almost 1,000 families have lost their access to agricultural land and woodlands near the ABL (Amnesty International 2019).

HUMAN RIGHTS VIOLATIONS IN RUSSIA'S OCCUPIED REGIONS OF GEORGIA

A 71-year old Amiran Gugutishvili, a resident in the village of Guguriantkari near the ABL with South Ossetia has been living under the poverty line since 2008 after his house was burnt down during the Russian-Georgian war. Moreover, in 2017 he lost access to his orchard because of Russia's borderization policy which has further worsened the economic situation of his family. Amiran Gugutisvili portrays his situation as: "Every year I used to harvest more than a hundred boxes of apples from my orchard and sell it. The profit was enough for my family to survive. Since 2017 I cannot access my garden. Russians installed a 'state border' sign there. I still pass by sometimes to take a look at my apple trees through the fence" (Amnesty International 2019).

Georgian-Russian relations were fraught with tensions over the Giga Otkhozoria case. 31-year-old Giga Otkhozoria of a Georgian nationality was killed on a Georgian-controlled territory, near the Georgian-Abkhaz administrative border on May 19, 2016. Rashid Kanji-Ogli, an Abkhaz border guard was accused of murder. However, the Abkhazian side asserted a completely different version of the incident, claimed that Otkhozoria attacked Rashid Kanji-Ogli first and provoked him into a fight (JAMnews 2016). Georgian Government called upon Russia to assume responsibility for Otkhozoria's case, though, however, Moscow denied taking responsibility and declared that since the murder was committed by Abkhaz bodyguard, Russia, from its side, could not see any responsibilities in it (Agenda.ge 2016).

On August 7, 2017, the Ministry of Foreign Affairs of Georgia Mikhail Janelidze reported that Georgian citizens lived under severe oppression in Abkhazia and South Ossetia. As stated by Janelidze, Abkhazian and Ossetian authorities were doing their utmost to discriminate against Georgian people in breakaway regions. As reported by Janelidze, While Tbilisi seeks to peacefully resolve the 'frozen conflicts', Georgian children are forbidden to get an education in the Georgian language in Abkhazia and South Ossetia, and barbed-wire fences installed by Russian occupants in South Ossetia, make it impossible for Georgian farmers to reach their cultivated lands (Ministry of foreign affairs of Georgia 2018).

A year later, the Archil Tatunashvili case sparked furious outrage in Georgia and abroad. Three Georgian citizens, Archil Tatunashvili, Levan Kutashvili, and Ioseb Pavliashvili were detained from Akhagori, by *de facto* authorities of South Ossetia on February 22, 2018. They were taken to Tskhinvali. 35-year-old Archil Tatunashvili died the following morning in Tskhinvali prison under suspicious circumstances. Ossetian side reported that Archil Tatunashvili died with heart failure in a Tskhinvali hospital; however, Tatunashvili's family strictly demanded a further investigation of the incident (Agenda.ge 2019a). The United States and the European Union immediately called on Moscow to return Tatunashvili's corpse to his family. The Red Cross and the Georgian Orthodox Church were also involved in negotiations with Russia. The Catholicos-Patriarch of All

Georgia, Ilia II asked the Russian Patriarch Kirill for help in the name of common religion – Christianity (Orthodox Christianity 2018).

On June 21, 2018, at the Geneva meeting, the Georgian delegates have again called on Russia to transfer the internal organs of Archil Tatunashvili to the Georgian side for a detailed examination of the incident. In response to this, Russia's deputy foreign Minister Grigory Karasin declared that Georgia's dispute with South Ossetia should be resolved between Tbilisi and Tskhinvali only (Ministry of foreign affairs of Georgia 2018).

On March 10, 2019, a 29-year-old Georgian citizen, Irakli Kvaratskhelia was detained by Russian 'border guards' for illegally entering Abkhazia. Kvaratskhelia was taken to a Russian Federal Security Service office near the district of Gali where he died under suspicious circumstances. As reported by Abkhaz officials, Kvaratskhelia committed suicide while in detention. However, Georgian authorities and media remained rather Kolosok and Myroshnechenko skeptical of 'this version of events'. As it was reported by Kvaratskhelia's family and his acquaintances Irakli Kvaratskhelia could be fatally beaten and killed by Russian occupants (Agenda.ge 2019a).

On November 15, 2019, Vazha Gaprindashvili is a well-known Georgian doctor, president of the Association of Orthopedists and Traumatologists, and a leading specialist at the 'Mediclub clinic' was detained by Russian servicemen in the Georgian-Ossetian conflict zone. Gaprindashvili was sentenced on November 15 to two months' pre-trial detention in Tskhinvali. The arrested doctor was released on December 28, 2019. According to Vazha Gaprindashvili, he wrote a petition for pardon, a day earlier, on December 27, but he did not plead guilty to the imposed charge in the petition. Other sources claimed that the so-called President of the South Ossetia Anatoly Bibilov pardoned him.

It should be highlighted that Georgia and Russia both share several International treaties fundamental objective of which is to respect international law, human rights, and fundamental freedoms. Such as the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), the European Social Charter, the International Covenant on Civil and Political Rights (ICCPR), and others. However, The Russian Federation continuously neglects the principles of international law and strictly violates human rights and freedoms in the occupied regions of Georgia. Table 1 shows the number of detentions since 2008 for 'illegally crossing the border', recorded by the Georgian authorities.

Table 1: The number of detentions since 2008 for 'illegally crossing the border' (Source: State Security Service of Georgia 2021)

Year	South Ossetia / Tskhinvali Region	Abkhazia
2008	7	13
2009	79	91
2010	77	114
2011	140	84
2012	108	192
2013	139	393
2014	142	375
2015	163	336
2016	134	193
2017	126	52
2018	100	28
2019	86	27
From 1 st January until 16 th August 2020	37	7

According to data released by the Border Service of the Russian Federation, in Abkhazia, the number of detentions reached is increasing and most of them are ethnic Georgians. In South Ossetia people are released from detention only after paying a fine which amounts to almost RUB 2,000 (30 US Dollars) and in Abkhazia, they are released after paying almost 232 US Dollars (Juznaia 2017). Thus, the Russian Federation, which exercises illegal control of the occupied regions of Abkhazia and South Ossetia continuously disrespects the sovereignty and territorial integrity of Georgia and violates the rights of thousands of innocent civilian populations living in and beyond the occupation lines.

THE USA -RUSSIA CONTRADICTIONS OVER GEORGIA: CHALLENGES AND DIFFICULTIES

Since the early years of Georgia's independence, the USA has fully supported Georgia's democratization process and has tried to maintain stability in the region, thereby increasing the country's opportunities for further economic progress and development (Lordkipanidze 2019, 3-4). A clear illustration of the above mentioned is the great efforts made by USA President Bill Clinton to construct the Baku-Tbilisi-Ceyhan (BTC) oil pipeline in the late 1990s, which was of fundamental significance for the stabilization of the post-war Georgian economy (Bedianashvili 2018, 32-34; Bedianashvili 2017, 10-13). The BTC pipeline gave Georgia a new dimension since it has

attracted worldwide attention as a major transit corridor in the Caucasus region for energy resources (Lomia 2019, 61). The United States has shown unprecedented support for Georgia's Euro-Atlantic integration, promoting democratic principles and values in the country, implementing domestic political reforms, and replacing American capital with Russian, primarily to free Georgia from Moscow's influence. Of course, the above was in complete contradiction with Russia's long-term goals for Georgia. Scientific circles also believed that Russia would sooner or later react to the USA foreign policy course in Russia's 'backyard', and that the Kremlin would never accept the USA and the EU domination in its 'sphere of influence'. Soon it became clear that they were not mistaken.

On the contrary, Russia has actively been using not only political, economic, and military pressure on Georgia, but it also started disinformation campaigns in the occupied regions of Abkhazia and South Ossetia to spread anti-Western sentiments in public. Thus, Russia still exercises regional hegemony over the post-Soviet states through the means of employing different tactics (Tskhovrebadze 2016, 66). In addition to that, the Kremlin-initiated 'passport policy' resulted in a process of *de facto* Russification of the people in the occupied regions of Abkhazia and South Ossetia, granting Russian passports to the people living in the regions. It strictly contradicted both Georgian and Russian legislation.

The NATO Secretary-General, Jaap de Hoop Scheffer called on the Russian side to stop the hostility with Georgia and start the direct negotiation process. Thus, "bullying and intimidation are not acceptable ways to conduct foreign policy in the 21st century" (Downing 2008). Also, "Russia has invaded a sovereign neighboring state and threatens a democratic government elected by its people" (Downing 2008), declared USA President George W. Bush. In support of Bush's opinion, the Secretary of State Condoleezza Rice added: "We call on Russia to cease attacks on Georgia by aircraft and missiles, respect Georgia's territorial integrity, and withdraw its ground combat forces from Georgian soil" (Cornwerll and Plerning 2008).

Some scholars argue that the United States and Russia share the same viewpoint on terrorism and fight together to defeat radical Islamist fundamentalism since September 11, 2001 (Kiknadze 2007), however, they strictly do not share the same viewpoint to Tbilisi. The USA supports Georgia's sovereignty and territorial integrity within its internationally recognized border. On the other side of the globe, Russia still considers Georgia as an exclusive sphere of its influence and views the USA and NATO as direct enemies in the Caucasus region.


CONCLUSION

The political climate between the United States and the Russian Federation has become extremely tense since the presidency of Vladimir Putin in Russia. Numerous experts believe that a completely new stage in Russian history begins in the 2000s. This is a period when Russia's geopolitical interests were widely declared and Kremlin began an aggressive foreign policy course to eventually realize its geopolitical interests in the post-Soviet space.

The mentioned time coincided with the internal political changes in Georgia as well. In 2003, as a consequence of the 'Rose Revolution', with the great support of the United States, pro-Western charismatic leader Mikheil Saakashvili came to power that chose the western orientation as a precondition for Georgia's further development. Moreover, the USA-Russia relations have considerably deteriorated after Russia's military intervention in Georgia and recognition of Abkhazia and South Ossetia as independent states.

Following Russia's 'borderization' policy in the occupied regions of Georgia, Russian and *de facto* authorities in Abkhazia and South Ossetia constitute severe violations of human rights of the people living in and beyond the so-called Administrative Boundary Lines. Russian servicemen regularly detain people under the pretext of 'illegally crossing the border'. Villages have lost access to farmlands, orchards, graveyards, people are cut off from relatives and neighbors since the barbed-wire fences and trenches are also erected on their lands. They never receive any compensation for the violation of their fundamental rights, including the rights to live and own property in occupied territories. The latter is granted to all the people in the universe by international law.

In South Ossetia, the Russian occupational regime continues demarcation activities along with the occupied territories of Georgia. That is the administrative border that existed earlier before Georgia's independence when the country was a part of the former Soviet Union. Following the Russian-Georgian war, Georgia lost control over 150 settlements among which more than 130 settlements belong to the Tskhinvali region and more than 15 settlements belong to Kodory Valley.

Furthermore, it is important to emphasize that the Russian-Georgian war in August 2008 turned into a subject of confrontation between the USA and Russia as well. Many scholars still argue that the August war was a clear illustration of how Russia 'punished' the USA for misbehavior and it was an important message for the United States that Russia remains a dominant actor in the post-Soviet space and Moscow will not allow the USA to strengthen its position in its sphere of influence. 

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